

**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**

(Includes Reference to PCT International Applications)

ATTORNEY DOCKET NUMBER

P 2941 WO US

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHOD FOR DETERMINING THE EFFECTIVENESS AND TOLERANCE OF A

XENOGENIC SUBSTANCE ADMINISTERED TO AN ORGANISM

the specification of which (check only one item below):

- ☐ is attached hereto.  
☐ was filed as United States application

Serial No. \_\_\_\_\_

on \_\_\_\_\_,

and was amended

on \_\_\_\_\_ (if applicable)

- ☒ was filed as PCT international application

Number PCT/DE 96/01269

on 12 July 1996

and was amended under PCT Article 19

on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known to me or other person(s) involved in the preparation or prosecution of this application to be material to the examination of this application and to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby authorize the U.S. attorney or agent named herein to accept and follow instructions from \_\_\_\_\_

as to any action taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

**PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119**

| COUNTRY<br>(If PCT, indicate "PCT") | APPLICATION NUMBER | DATE OF FILING<br>(day, month, year) | PRIORITY CLAIMED<br>UNDER 35 USC 119    |                             |
|-------------------------------------|--------------------|--------------------------------------|---|-----------------------------|
| DE (Germany)                        | 195 25 133.4       | 12 July 1995                         | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
|                                     |                    |                                      | <input type="checkbox"/> YES            | <input type="checkbox"/> NO |
|                                     |                    |                                      | <input type="checkbox"/> YES            | <input type="checkbox"/> NO |
|                                     |                    |                                      | <input type="checkbox"/> YES            | <input type="checkbox"/> NO |
|                                     |                    |                                      | <input type="checkbox"/> YES            | <input type="checkbox"/> NO |

Applicant or Patentee: LAUK, Christiane  
Serial or Patent No.: PCT/DE 96/01269  
Filed or Issued: 12 July 1996  
For: METHOD FOR DETERMINING THE EFFECTIVENESS AND  
TOLERANCE OF A XENOGENIC SUBSTANCE ADMINISTERED TO AN ORGANISM  
Attorney's Docket No.: P 2941 WO US

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am  
(X) an Individual  
( ) the owner of the small business concern identified below:  
( ) an official of the small business concern empowered to act on  
behalf of the concern identified below:

Name of Concern Dr. Christiane Lauk  
Address of Concern Unterer Bühlweg 1, 71159 Mötzingen, Germany

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled METHOD FOR DETERMINING THE EFFECTIVENESS AND TOLERANCE OF A XENOGENIC SUBSTANCE ADMINISTERED TO AN ORGANISM by inventor(s)

Lauk, Christiane  
described in

( ) the specification filed herewith  
(X) application Serial No. \_\_\_\_\_, filed PCT/DE96/01269 -12 July 1996  
( ) Patent No. \_\_\_\_\_, issued \_\_\_\_\_.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or

Verified Statement (Declaration) Claiming Small Entity Status  
(37 CFR 1.9(f) and 1.27(c)) - Small Business Concern - page 2

organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Full Name Dr. Christiane Lauk  
Address Unterer Bühlweg 1, 71159 Mötzingen, Germany  
(X) Individual ( ) Small Business Concern ( ) Nonprofit Organization

Full Name \_\_\_\_\_  
Address \_\_\_\_\_  
( ) Individual ( ) Small Business Concern ( ) Nonprofit Organization

Full Name \_\_\_\_\_  
Address \_\_\_\_\_  
( ) Individual ( ) Small Business Concern ( ) Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing Dr. Christiane Lauk

Title of Person Other than Owner \_\_\_\_\_

Address of Person Signing Unterer Bühlweg 1, 71159 Mötzingen  
Germany

Signature X Christiane Lauk Date \_\_\_\_\_

OFFICE OF THE ATTORNEY GENERAL

# Combined Declaration For Patent Application and Power of Attorney (Continued)

(Includes Reference to PCT International Applications)

ATTORNEY DOCKE

P 2941 WO

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or P international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

## PRIOR U.S APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. BENEFIT UNDER 35 U.S.C. 120

| U.S. APPLICATIONS       |                  | STATUS (Check one) |         |           |
|-------------------------|------------------|--------------------|---------|-----------|
| U.S. APPLICATION NUMBER | U.S. FILING DATE | PATENTED           | PENDING | ABANDONED |
|                         |                  |                    |         |           |
|                         |                  |                    |         |           |
|                         |                  |                    |         |           |

  

| PCT APPLICATIONS DESIGNATING THE U.S. |                 |                                       |  |  |  |
|---------------------------------------|-----------------|---------------------------------------|--|--|--|
| PCT APPLICATION NUMBER                | PCT FILING DATE | U.S. SERIAL NUMBERS ASSIGNED (if any) |  |  |  |
|                                       |                 |                                       |  |  |  |
|                                       |                 |                                       |  |  |  |
|                                       |                 |                                       |  |  |  |

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)

Paul J. Vincent Reg. No. 37,461

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City Code: 711  
Number: 29 95 91

|     |                         |             |                          |                        |
|-----|-------------------------|-------------|--------------------------|------------------------|
| 201 | FULL NAME OF INVENTOR   | FAMILY NAME | FIRST GIVEN NAME         | SECOND GIVEN NAME      |
|     | RESIDENCE & CITIZENSHIP | CITY        | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP |
|     | POST OFFICE ADDRESS     | CITY        | STATE & ZIP CODE/COUNTRY |                        |
| 202 | FULL NAME OF INVENTOR   | FAMILY NAME | FIRST GIVEN NAME         | SECOND GIVEN NAME      |
|     | RESIDENCE & CITIZENSHIP | CITY        | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP |
|     | POST OFFICE ADDRESS     | CITY        | STATE & ZIP CODE/COUNTRY |                        |
| 203 | FULL NAME OF INVENTOR   | FAMILY NAME | FIRST GIVEN NAME         | SECOND GIVEN NAME      |
|     | RESIDENCE & CITIZENSHIP | CITY        | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP |
|     | POST OFFICE ADDRESS     | CITY        | STATE & ZIP CODE/COUNTRY |                        |

I hereby declare under penalty of perjury under the laws of the United States of America that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

|                           |                           |                           |
|---------------------------|---------------------------|---------------------------|
| SIGNATURE OF INVENTOR 201 | SIGNATURE OF INVENTOR 202 | SIGNATURE OF INVENTOR 203 |
| DATE                      | DATE                      | DATE                      |